S.B.CIVIL WRIT PETITION NO.3467/2004

Smt.Indra Devi
v.
State of Rajasthan & Ors.

Date of Order :: 26th May, 2006

HON'BLE MR.JUSTICE GOVIND MATHUR

Mr. Rajesh Joshi, for the petitioner.
Mr. Sandeep Shah]
Mr. Sanjay Kapoor] for the respondents.

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A writ in the nature of prohibition is sought by the petitioner to prohibit the respondent No.1 to proceed with the review petition to review the order dated 20.5.2002 passed while exercising powers under Section 128 of the Rajasthan Cooperative Societies Act, 1965 (hereinafter referred to as "the Act of 1965") being having no jurisdiction.

Learned counsel appearing on behalf of the respondent No.2, at the instance of whom proceeding to review the order dated 20.5.2002 is initiated, states that the respondent No.2 may be permitted to withdraw the review petition preferred before the respondent No.1 with a liberty to challenge the order dated 20.5.2002 by taking appropriate legal recourse.

In view of the statement given by learned counsel for the respondent No.2 the review petition filed by her before the respondent No.1 bearing No.3

(36)Cooperatives/04 is dismissed being withdrawn with a liberty to avail appropriate legal remedy to challenge the order dated 20.5.2002 (Anx.1) passed by the respondent No.1 exercising powers under Section 128 of the Act of 1965.

The writ petition is disposed of accordingly.

(GOVIND MATHUR),J.

kkm/ps.